

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RAUL MORALES, JR.,)	
)	
Petitioner,)	
)	
v.)	Case No. 4:05CV3131
)	
ROBERT HOUSTON,)	
)	
Respondent.)	

ORDER

This matter is before the court on Petitioner's Motion to Dismiss Without Prejudice, Filing No. 22. This is a habeas corpus action, pursuant to 28 U.S.C. § 2254. The court has reviewed the motion as well as Petitioner's affidavit in support thereof. Filing No. 23. The Court finds that the motion should be granted. Accordingly,

IT IS ORDERED that this action is dismissed without prejudice.

Dated this 11TH day of July, 2006.

BY THE COURT:

s/ Joseph F. Bataillon
The Honorable Joseph F. Bataillon
United States District Judge